

Susan Myers

From: Brian Hoelscher
Sent: Friday, June 03, 2016 2:05 PM
To: Michael Yates (michael@luoe148.com); Jfaul@hghllc.net; Rev. Ronald L. Bobo Sr. (rlbobo454@aol.com); Reverend Lauren Hickman (lahickman@westsidembc.org); Annette Mandel; James L. Singer (jis@schuchatow.com); 'Ruby L. Bonner'
Cc: Rich Unverferth; Marie Collins; Vicki Taylor Edwards; Shonnah Paredes; Susan Myers; Tamara Minley-Clinton
Subject: CONFIDENTIAL Status of A.L.L. Construction, Anton Lumpkins

Trustees, because Anton Lumpkins of A.L.L. spoke directly to the Board of Trustees at a public meeting, I wanted to keep you informed as to where we are with this company. At Anton's request, I met with him after he spoke to the Board of Trustees. I will keep the Board updated as this situation progresses.

Small Sewer Program

A history of A.L.L.'s performance is outlined below if you are interested in reading the details. I am very familiar with this company as many of the issues occurred while I was the Director of Engineering. Because of the below, sanctions will again be taken against A.L.L. This will include suspension from the small sewer program for a year. A.L.L. will be reminded they have the right to re-apply before the year is up, but they will have to have resolved all issues on the existing projects to our satisfaction and will have to demonstrate what actions they have taken to correct their deficiencies. Anton has been told sanctions will be imposed and staff will be sending an official correspondence in the near future. Anton, as we have experienced in the past, claimed that this was some form of retaliation.

Projects with Bates Utility Company

As you recall, Bates Utility Company has also been suspended for bidding for a year under the same conditions as described above. Bates Utility has become responsive in trying to resolve issues with A.L.L. However, A.L.L. has now become very non-responsive in trying to resolve the scope of involvement on 4 capital projects where A.L.L. is under contract to perform as a sub-contractor. It is possible that MSD may get to the point where we would allow Bates Utility the option of replacing A.L.L. with another African-American company in order to meet their contract commitments.

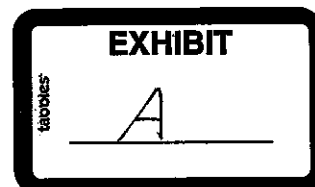
Again, I will keep the Board updated as this issue continues.

From: Rich Unverferth
Sent: Friday, June 03, 2016 10:43 AM
To: Brian Hoelscher
Subject: CONFIDENTIAL - A.L.L. - Proposed removal from MSD Small Contractor Repair Program

Brian,

Per our discussion, below is a timeline and events leading to the proposed removal of A.L.L. Construction from the program:

- It appears from records that ALL started work in the formal under \$25 K program around 2009, although there were various less formal forms of the program prior to that time. I am certain he had performed work prior to this.



- In 2012 MSD had begun to see a pattern from them which included: not calling for inspections, submitting undocumented and unauthorized change orders and requests for payment, failure to start work on time requiring MSD to go to second bidders. During that time his work seemed to be OK.
- MSD met with him in late September 2012 and followed up with a letter over our concerns over the above items.
- In early 2013 a project (Aston Court) went bad on them which required MSD to hire other contractors to complete the work and compensate a homeowner for restoration work that ALL failed to complete.
- During that same project payments to ALL were being garnished by his vendors and by the Unions.
- During that same time we removed him from 3 projects which he had failed to start within 2 months.
- In June 24, 2014 ALL was removed from the bidders list for failure to renew his certificate of insurance.
- In August of 2014 ALL met with MSD to determine what was needed to return to the program, necessary administrative need and discussions on previous issues were discussed.
- In January 2015 ALL submitted necessary paperwork and was reinstated to the program
- 4/6/15 – Notice sent to ALL that they had failed to respond to at least 7 bid requests since being reinstated
- 6/5/2015 – Won first job since being reinstated
- In late 2015 began to see a similar pattern of behavior on some projects such as: attempted to connect a lateral to mainline using corrugated black drain tile (unacceptable), Inspector was able to catch the construction before it was covered up. Another project included invoice submitted for extra \$1200 change order not agreed upon, was not paid.
- 11/2/15 – Won 6th Job 723 Summer Top Circle – A project similar to Aston court, ALL was dealing with poor soil conditions (for which he was compensated), but during construction the homeowner's sprinkler system and invisible dog fence were damaged, a concrete slab next to a stair was replaced numerous times due to poor workmanship. We are still receiving complaints from property owner for not being compensated for making repairs (approximately (\$1800)), the owner is still not satisfied with concrete stoop. Situation still unresolved as of 6-3-16.
- (2/18/16 – Awarded 10th Job Since Reinstatement – see timeline below which precipitated our suggested removal from the program:

1226 Dunloe Timeline

1. Job awarded on 2/17 (bid docs attached)
2. Wednesday, March 30, 2016 (email and pics attached)
 - a. Email from Tom Newport with pics from Monday, March 28, at 12:00pm. This was the first time Tom had been called to the site, by Reggie Welsley from ALL.
 - b. The pipe connecting to the manhole had been backfilled and so could not be inspected.
3. Wednesday, April 13, 2016
 - a. At this point, MSD's concern was only that the job had not been inspected. We had no reason to believe it had been done incorrectly. We were only going to have ALL expose the connections to the manhole. There was also a house lateral in this area, and it was not clear how any of this had been done.
 - b. Tom had Ops CCTV the main and manhole. It was discovered that no drop had been installed. The main was reconnected in some unknown fashion outside of the manhole.
4. Thursday, April 14, 2016 (pics attached)
 - a. Steve V. met Tom on site. The manhole consisted of a poured concrete bottom and precast risers. Steve witnessed and confirmed that the MH had been installed incorrectly with no drop. Additionally, the invert was too small to allow for insertion of MSD crawler, and water was leaking up through the invert. It was decided that the invert could not be salvaged and the entire job would have to be redone.
5. Tuesday, April 19, 2016 (email attached)

- a. Meeting held in Rich's office around 1:15 PM with Shonniah Paredes, Steve Valli, Mike Buechter, Brad Nevois. Decided to give ALL chance to replace the manhole, or to pay them for the MH sections that would be reusable.
 - b. Call placed to Anton Lumpkins, directly after meeting, by Mike and Steve to discuss this project. Call was ended before the conversation was finished.
 - c. Mike sent an email to ALL outlining above options, including reconstructing the manhole entirely by May 13 if ALL is to be paid and remain on the small IR bidding list.
6. Monday, April 25, 2016
 - a. Mike returns Anton Lumpkin's call and sends an email reiterating the requirements and May 13 date related to this project. At this point it had still not been started.
 7. Tuesday, April 26, 2016
 - a. Email from Paul Klages to Tom Newport from homeowner at 1226 Dunloe. Angry that mud washed from job site into her driveway.
 8. Wednesday, April 27
 - a. ALL cleans up mud from driveway
 9. Tuesday, May 3
 - a. Project to replace the MH begins
 10. Tuesday, May 31 (pics attached from 5/20 and 5/27)
 - a. Meeting with ALL over job that is still not complete
 11. A meeting was held with MR. Lumpkins on Tuesday May 31 notifying him that he was being removed from the program (see Draft follow up to discussion below. This has not been sent. The meeting did not go well.

Summary:

34 total jobs awarded 8/10/10 – Present (off list from 6/13 - 1/15)

Total of 12 jobs awarded since reinstatement in January 2015

4 jobs have had serious issues

3 have had serious issues with the quality of work

Angry homeowners

Incomplete restoration

Incorrect installations that had to be redone (2 occasions)

1 was violation of the change order process which was clearly spelled out as a condition of re-entry to the program